

Background, Overview and Application Massachusetts District Improvement Financing (DIF) Program

Massachusetts General Law Chapter 40Q, the District Improvement Financing (DIF) Program, became effective in August of 2003. The associated regulations, CMR 402 3.00, were approved in July of 2004. DIF provides municipalities with a new economic development tool for funding public purpose projects. The DIF Program includes two major components: 1) definition and establishment of a District; and, 2) development and documentation of an action plan called a Program. The Massachusetts Office of Business Development (MOBD) manages DIF on behalf of the Economic Assistance Coordinating Council (EACC). Final, concurrent approval of both the District and Program is required from the EACC prior to program implementation.

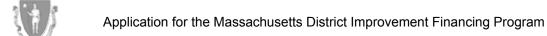
This Application has six sections: 1) Cover Sheet, 2) General Information, 3) District Information, 4) Program Information, 5) IRD and IRDDP Information, and 6) Private Partner Information. It also specifies the attachments or enclosures in each of these sections.

The District, Program, IRD and IRDDP sections of this Application are deliberately redundant in order to ensure a complete submission utilizing one application. Information need only be provided once and should be provided where most logical. Similarly, if the District and Program (and IRD and IRDDP) have been approved concurrently, it is acceptable to provide all related local approval information once. However, please make it clear to the EACC where they will find information via the index or in the Application itself to facilitate review. If a section or requirement within a subsection is not applicable, simply note it as such in the check boxes provided. If the "Not Applicable" option is not provided, the section must be completed in order for the Application to be considered complete. If the Applicant is unable to provide any of the requested information, then the justification must be documented and submitted along with the Application.

When the Application is considered complete by MOBD, it will be submitted to the EACC for consideration at its next meeting. The Applicant will be informed of the status and next scheduled meeting.

All information required in the Application shall be forwarded to:

Patricia E. Singer, EACC Project Director Massachusetts Office of Business Development 10 Park Plaza, Suite 3730 Boston, MA 02116



Section 1 District Improvement Financing Application Cover Sheet

1. Applicant Information Applying City or Town (the Municipality or Applicant): Applying Entity (if not the City or Town): Primary Contact Person: Address: Phone Number: Fax Number: _____ E-mail address: 2. Application Information Duration: ____Years District Name: _Duration: ____Years Program Name: IRD Name: ______Duration: _____Years IRDDP Name: ______Duration: _____Years 3. Assessed Value Information Certified, Original Base Assessed Value in the District: \$ Certified, Original Base Assessed Value in the IRD: \$_____



Section 2 General Information

1.	Index for the Application Enclosed The index will specify the location of each element of the application. Using a 3-ring be accumulate information under each section and subsection is strongly recommended for indexing and reviewing.		
2.	Contact Summary Sheet Enclosed The Contact Summary Sheet identifies the public and private parties involved in the District, the Program and, if applicable, the IRD and IRDDP.		
3.	Municipal Description ☐ Enclosed A general description of the Municipality. The intent is to familiarize the EACC with your conso that they have a context in which to understand the Application. A recent or updated contents agency general obligation bond report could complete this subsection.		
4.	Municipal Certification ☐ Enclosed A copy of the Municipal certification affirming that all of the DIF districts within the Municipality together comprise more than 25% of the total area of the Municipality along with a map sho existing and proposed districts and their percent of the area of the Municipality.		
5.	Consultants' Reports ☐ Enclosed (If any, itemize below) ☐ N/A		
	a)		
	b)		
	c)		
	d)		
6.	Other Useful Information ☐ Enclosed (If any, describe below) ☐ N/A		
	a)		
	b)		
	c)		
	d)		



Section 3 District Information

1.	District Description ☐ Enclosed A description of the District which must include its name, proposed duration and a general description of the District. The intent is to identify and familiarize EACC with the District and provide the background necessary to support a statement explaining why the Municipality has defined the District boundaries as proposed.
2.	Objectives / Goals (District) Enclosed A description of the Applicant's objective or goal in creating the District. This subsection should include information which the Applicant believes will be helpful to the EACC in arriving at its conclusion that it is reasonably probably that the Applicant will achieve its goals in creating the District.
3.	Public Notice (District) Enclosed Documentation of the public notice procedures used during the District approval process. Include a copy of the notice and a copy of the mailing or distribution list. In addition to the general notice, notice must be given to taxpayers located in the District, the chief elected officers and the chairpersons of the legislative bodies of abutting cities and / or towns, and the EACC. The public may also include underlying and overlapping governmental entities, the Applicant's own planning department and conservation commission, and any other parties the Applicant considers important to the reasonably probable success of the DIF program. A transparent and all inclusive process is the end goal.
4.	Written Record of Public Hearing (District) ☐ Applicable A copy of the written record of the public hearings relating to the District and any written comments that have been provided to the Applicant by members of the public concerning the District. The Applicant may provide a summary to facilitate the EACC's review but is not required to do so.
5.	Certification of Compliance with the Local Approval Requirements (District) Applicable A certificate from the Municipality stating that it has fully complied with the local approval requirements specified in 402 CMR 3.00, Section 3.04 with regard to the proposed District. These include: a) Designation or creation of an entity that will be responsible for the District b) A public hearing prior to adoption of the District and a written record of such hearing c) Notice to the public of the public hearing and the opportunity to comment in writing on the proposed District d) Evidence that all information required in 402 CMR 3.06(a-j) {and, if the Program was approved concurrently, Section 3.08(3) regarding the Program} have been provided to the municipal governing body prior to its approval of the District {and Program}.



6.	Approving Order (District) Enclosed A certified copy of a formal, duly enacted order of the city or town council of the Applicant (with evidence of approval by the mayor or city manager where such approval is required by law) or vote of the town meeting of the Municipality, whichever is applicable, identifying and approving the proposed District. In addition, include the following: a) The entities and / or individuals (including their titles, qualifications and contact information, if not already identified on the contact sheet) who may act on behalf of the Municipality in implementing the Program within such District b) Describe where policy control rests, whether staff is dedicated or shared and their respective powers c) Itemize administrative costs and provision for payment of administrative expenses d) Any other information which is necessary to understand the administration and operations of the District.
7.	 Maps (District) ☐ Enclosed Maps and / or plans of the proposed District and the surrounding area showing: a) District boundaries b) Any significant District features that help define the nature and scope of the District which may include topographical, natural or hazardous environmental features c) Property lines, building foot prints and parking areas d) Existing uses and ownership of each parcel (Identify land in mixed use and public land) e) Current zoning f) All thoroughfares, public rights of way and easements.
8.	Assessed Value (AV) Information Enclosed AV information including, but not limited to: a) A copy of the Assessor's certification of the original, base AV of the taxable real and personal property within the District b) The AV of each parcel of real estate within the District c) The most recent annual property tax levy on each parcel within the District d) Past due taxes as well as any significant* historic delinquencies for each parcel e) Any pending appeals or significant* historic appeals for each parcel f) Any significant* personal property or concentrations in personal property g) Any District major taxpayers and their percent of the District's AV *Note: "Significant" should be defined in the context of current character of the District as well as in its improved, future nature. In any event, a delinquency or concentration equal to or over 5% should be reported. Consideration of the previous 5 years is sufficient for historic reporting.
9.	IRD Information (if applicable)

Enclosed

N/A

See Section 4, subsection 1

a) A statement identifying parcels, if any, within the IRD that are subject to a Tax Increment Financing (TIF – EDIP Program) agreement, an Urban Center Housing Tax Increment Financing (UCH-TIF) agreement or a special tax assessment pursuant to M.G.L. c. 23A, § 3E(3)

b) A copy of the TIF or UCH-TIF agreements impacting parcels in the IRD

c) A statement describing the impact of this IRD on existing and future economic development agreements including the Economic Development Incentive Program.



Section 4 Approval of a Development Program

In describing a proposed program, the Applicant must distinguish between those projects that will be undertaken and paid for by public entities and those that will be undertaken and paid for by private entities

CIII	JUCS.
1.	Objectives / Goals (Program) Applicable Provide a description of the Applicant's objective or goal in creating the Program and an explanation of how the Municipality will benefit from the implementation of the Program. This subsection should include information which the Applicant deems helpful to the EACC in arriving at its conclusion that it is reasonably probably that the Applicant will achieve its goals in creating the Program.
2.	Written Record of Public Hearing (Program) ☐ Enclosed A copy of the record of the public hearing relating to the Program and any written comments that have been provided to the Applicant by members of the public concerning the Program. The Applicant may provide a summary to facilitate the EACC's review but is not required to do so.
3.	Certification of Compliance with the Local Approval Requirements (Program) Enclosed A certification from the Municipality that it has fully complied with the local approval requirements specified in 402 CMR 3.04 with respect to the Program. These include: a) Designation of an entity that will be responsible for the Program b) A public hearing prior to adoption of the Program and written record of such hearing c) Notice to the public of the public hearing and the opportunity to comment in writing on the proposed Program d) Reasonable effort to provide direct written notice to all owners of real property to be acquired by the municipality as part of the proposed Program of public hearings and providing the opportunity to comment in writing on the Program e) Evidence that all information required in 402 CMR 3.08(3) had been provided to the municipal governing body prior to its approval of the Program.
4.	Approving Order (Program) Enclosed A certified copy of a formal, duly enacted order of the city or town council of the Applicant (with evidence of approval by the mayor or city manager where such approval is required by law) or vote of the town meeting of the Municipality, whichever is applicable, identifying and approving the proposed Program. Such order must include a name for the Program. If different from the District, describe where policy control rests, whether staff is dedicated or shared, their respective powers, administrative costs, and provision for payment of administrative costs. Please provide any other information that is necessary to understand the administration, implementation and execution of the Program.
5.	Goal Attainment (Program) ☐ Enclosed Description of how the Applicant expects to achieve its objectives through the Program. This subsection should include: a) A description of proposed development activities and projects within the District and under

Version 1a: 9/22/04 6

entities and which will be undertaken by private entities.

the Program. Specifically, identify which activities and projects will be undertaken by public

- b) Plans or maps illustrating changes to be made to the District pursuant to the proposed Program and identifying:
 - (1) Proposed property lines and the foot-print of buildings and parking areas on each parcel within the District
 - (2) Proposed uses and zoning of all parcels
 - (3) Proposed thoroughfares, public rights of way and easements
 - (4) Those parcels to be acquired by the Municipality (if any)
 - (5) Those parcels to be sold or disposed of by the Municipality (if any)
 - (6) Buildings or structures to be demolished rehabilitated or constructed (if any).
- c) A list of buildings or structures to be constructed or renovated in connection with the Program, with a description of such construction or renovation, including who will be undertaking it. If none, indicate same.
- d) A list of buildings or structures to be demolished, either in whole or in part, in connection with the Program and by whom. If none, indicate same.
- e) A description of how public ways and other infrastructure will be affected. If none will be affected, indicate so.
- f) A description of streetscaping measures that are to be undertaken under the Program including, but not limited to, coordinated signage, façade and sidewalk improvements, beautification steps, and coordination plans. If none, indicate same.
- g) A description of how transportation facilities and resources will be affected. If none, indicate same.
- h) A description of provisions which exist or which will be established to govern densities, land coverage, land uses, setbacks, off-street parking and loading, and building height and bulk.
- i) A statement describing how the Program will improve:
 - (1) The overall quality of life within the District
 - (2) The physical facilities and structures within the District
 - (3) The quality of pedestrian and vehicular traffic control within the District
 - (4) The transportation facilities and resources within the District.
- j) An estimate of the number of jobs that will be created, retained and eliminated as a result of the Program, and the wages and benefits associated with such jobs. If no impact, indicate none.
- k) A statement describing whether, and to what extent, proposed projects to be undertaken within the District would be in compliance with existing zoning laws and ordinances. With respect to proposed development that would not be in compliance with existing zoning laws and ordinances, the Applicant should explain how such compliance will be achieved, including a specification of the zoning changes that will be necessary prior to implementation.
- I) A detailed financial plan. The financial plan must explicitly identify sources of revenue that are sufficient to pay all project costs and demonstrate that, under various scenarios, there is a reasonable probability that the Applicant will achieve its goals in creating the District and Program. The plan should include the following (as applicable):
 - (1) Estimates of the captured assessed values including the original, certified assessed value and projected assessed values after 1 year, 5 years, 10 years, 15 years, 20 years, 25 years, and 30 years, as applicable. Provide underlying assumptions
 - (2) The portion of the captured assessed value to be applied to the Program and projected tax increments in each year of the Program. Provide underlying assumptions
 - (3) Describe the method of calculating tax increments together with any provisions for adjustment to the method of calculation
 - (4) Provide a projection of the tax revenues to be derived in the absence of the Program
 - (5) Identify specific projects that will be funded by the tax increments, the timing and amount of such funding through tax increments, and what percentage portion of each project will be funded through tax increments
 - (6) The board or officer of the city or town responsible for calculating the tax increment.
 - (7) Allocation, if any, of excess incremental revenue(s) which accrues in any year.
- m) If a municipality intends to acquire property in connection with its Program, a statement identifying:



- (1) All properties to be acquired by the Municipality within the District
- (2) The method of acquisition of each property, including whether the property will be acquired by eminent domain, negotiated sale, or other means
- (3) The owner of such properties
- (4) The estimated cost of property to be acquired and the basis for such estimate
- (5) Identification of any property to be acquired by the Municipality in which any officer or employee of the Municipality who, on account of an interest in the acquisition, would be required to make disclosure under chapter 268A
- (6) The current and planned use of properties to be acquired
- (7) Plans for the relocation of persons displaced by the Municipality's acquisition of such properties. Such plans shall conform to all applicable requirements in M.G.L. c. 79A and 80, the regulations and guidelines there under.
- n) If the Applicant proposes to take property by eminent domain, it must provide a statement as to why the property will be acquired in this manner. The Applicant may not take property by eminent domain unless there is a public purpose warranting such taking. The EACC may require, at the expense of the Applicant paid for in advance, the written opinion of qualified independent counsel as to whether the Application establishes the requisite public purpose.
- o) A description of plans, if any, for the development of housing (both affordable and market rate) as part of the Program. Include the number of housing units that will be retained, renovated and / or created as a result of the Program.
- p) A description of workforce training or workforce development activities, if any, to be undertaken in connection with the Program.
- q) A schedule for implementing the Program containing a description of anticipated events during each of the first 5 years of the Program, and for each five-year period thereafter, and a statement identifying the duration of the Program.
- r) The names and addresses of persons or entities that may have a direct interest in whether the proposed Program is approved by the EACC. If it is not practicable for the Applicant to name these persons or entities individually, the municipality may refer to groups of persons or entities, provided that this is accomplished with a reasonable degree of specificity.

6.	Execution (Program)		
	☐ Enclosed	□ N/A	
	A description of expected	public participation during the execution of the Program.	Include
	disclosure of competitive bio	dding, fair wage or other similar requirements.	



Section 5 IRD Description

		he Program include an IRD and IRDDP? s – Continue with this Section	☐ No (Go to Section 6, below)
1.	☐ If th a) b)	scription (To be provided if the IRD is not coterminous with the Enclosed – Not Coterminous Coterminous the IRD is not coterminous with the District, provide: A map showing the IRD boundaries and its relative size to the District and its relative size to the	istrict and Municipality y detailed to enable the reader to
2.		inicipal Order (IRD and IRDDP) Enclosed certified copy of the Municipal order identifying and approving the	See Section 4, subsection 4 proposed IRD and IRDDP.
3.		Dject Description (IRD and IRDDP) Enclosed horough and complete description of the project.	
4.		ning (IRD and IRDDP) Enclosed	
5.	□ Info	pperty Acquisition (IRD and IRDDP) Enclosed N/A primation regarding municipal acquisition of property including addor relocation plans for persons, businesses or organizations.	via eminent domain proceedings
6.	 Financial Plan (IRD and IRDDP) ☐ Enclosed A copy of the financial plan associated with the Application. Such plan should demonstrate that, under various scenarios, there is a reasonable probability that the Applicant will achieve its goals in creating the IRD and IRDDP. Such plan should include at least the following: a) Estimates of the captured assessed value of the IRD, including the original, certified assessed value and projected assessed values after 1 year, 5 years, 10 years, 15 years, 20 years, 25 years, and 30 years, as applicable. Provide underlying assumptions b) The portion of the captured assessed value to be applied to the IRDDP and projected tax increments in each year of the IRDDP. Provide underlying assumptions c) Describe the method of calculating tax increments together with any provisions for adjustment to the method of calculation d) Provide a projection of the tax revenues to be derived from the IRD in the absence of the Program e) List the specific projects in the IRD that will be funded by the tax increments; the timing and amount of such funding through tax increments; and what percentage portion of each project will be funded through tax increments 		
	f)	Name the board or officer of the city or town responsible for c	alculating the tax increment



- g) Describe the bond issuance(s) or other debt obligation(s) contemplated by the Applicant in connection with the IRDDP, including the terms and conditions of such issuances or obligations, and whether the bonds issued shall be general, revenue or special obligation bonds. If the Municipality intends to issue revenue bonds in support of the IRDDP, include a letter from the Municipality's financial advisor or underwriter stating that the Municipality's financial plan is sound and viable
- h) Allocation of excess incremental revenue(s), if any, which accrues in any year.

7. Impact Statement (IRD and IRDDP)

Enclosed

A statement of the estimated impact of tax increment financing on all taxing jurisdictions in which the District is located.



Section 6 Private Partner Information

Section 6 is intended to identify and describe private partners (i.e., retail, commercial and industrial partners including developers and master developers) and their roles in accomplishing the Program or IRDDP's goals and objectives. This section must be completed for each private partner. While important to the overall success of the Program, this information need not be completed for Counsel, Bankers, etc.

	Are you working with a significant private partner(s)?			
Ш	Yes – Continue with this Section No – Application end			
1. Person completing this Section for the Private Partner				
	Name:			
	Title:			
	Business Name:			
	Address:			
	rax number:			
	Phone Number:			
	E-mail address:			
2.	Person Who Can Answer Questions Regarding this Section			
	Name:			
	Title:			
	Business Name:			
	Address:			
	Fax Number:			
	Phone Number:			
	E-mail address:			
3.	Counsel – Person who is providing legal counsel to the Private Partner			
	Name:			
	Title:			
	Business Name:			
	Address:			
	Fax Number:			
	Phone Number:			
	E-mail address:			
4.	Authorized Signatory for the Private Partner			
	Name:			
	Name: Title:			
	Business Name:			
	Address:			
	Fax Number:			
	Phone Number:			
	E-mail address:			



Э.	ĸe	ationship bank for the Private Partner
Nar	ne:	
Title	e:	
		ss Name:
Add	lres	s:
Fax	Nu	mber:
Pho	ne	Number:
E-m	nail	address:
6.	lnv	estment Bank (Private Partner who provides equity or handles bond sale – complete for both)
Nar	ne:	
Litle	e: _	
Bus	ine	ss Name:
Add	Ires	S:
rax	Nu	mber:
Pho	ne	Number:
7.	C o	rporate Information for the Private Partner Enclosed
	a)	Corporate Structure
	u)	Sole proprietorship
		Partnership - If the Private Partner is a partnership, please provide sufficient information
		to describe the partnership including, but not limited to: its state of organization; date of partnership agreement; and, the nature of the partnership (general or limited); partner's names, positions, contact information and partnership nature. The goal is to be able to ascertain whether or not the Partnership is authorized and able to perform its partner responsibilities.
		Corporation - If the Private Partner is a corporation, please provide sufficient information to describe the corporation including, but not limited to, its state of incorporation, date of incorporation, by-laws, public/private, stock exchange (if public), officers and their position and contact information. The goal is to ensure that the corporation is authorized and able to provide its partner responsibilities. Other legal entity? Please describe using the above notes as an information guideline:
	b)	Financial Information (Private Partner) Please provide a five year history of the most recent audited financial statements for the Private
8.	□ Ple and	Partner. If its financials are unaudited, provide federal income tax returns. vate Partner's Responsibilities Enclosed vase describe the Private Partner's responsibilities. Estimate project scope, cost, feasibility of timeline (schedule). Include any information deemed relevant to understanding the Private ortner's role. Include a copy of any legal agreements governing the relationship between the
		plicant and Private Partner.



9. Experience

Enclosed
Please provide a description of related Private Partner experience. Include any information
deemed necessary to understanding the Private Partner's ability to successfully perform their
role. Disclose any items or issues which would impact the Private Partner's ability to perform.

10. Miscellany

Enclosed

- a) Surety information
 - (1) Current surety provider(s) and coverage(s)
 - (2) Surety history: Has a bonding company ever been called on to perform on the Private Partner's default? Yes / No. If yes, explain.
- b) Has the Private Partner or any of its officers ever declared bankruptcy? Yes / No. If yes, explain.
- c) Prior or pending material litigation. Describe any prior or pending litigation against the Private Partner.
- d) Tax history: Is the Private Partner current in ALL of its taxes? Yes / No If no, please explain. For the purpose of this question, contested taxes are considered delinquent.



Applicant:

Application for the Massachusetts District Improvement Financing Program

Sample Contact List

This is a summary sheet identifying participants for use in Sections 2, subsection 2 and Section 3, subsection 6. Please expand as appropriate.

Contact person at the Municipality
Title
City or Town
FAX Number
Phone Number
E-mail address
Counsel: (List General, Bond, Special, Tax and others)
Contact person at the Municipality
Title
City or Town
FAX Number
Phone Number
E-mail address
Assessor:
Contact person at the Municipality
Title
City or Town
FAX Number
Phone Number
E-mail address
District and / or Program Contact(s):
Contact person at the Municipality
Title
City or Town
FAX Nullibel
Phone Number
E-mail address



Preliminary Annual Reporting Form

Reporting Entity: DIF Program:	Reporting period:
Investment (District and / or IRD): Public investment current year: Private investment current year: Total public investment: Total private investment:	
Assessed value (District and / or IRD): Base assessed value: Vacant Land: Residential: Commercial: Industrial: Personal: Other: AV this year: This year's AV vs base year AV (\$ + / -) Est. AV at build out:	
Taxes (District and / or IRD) and Coverage Calculations: Base year tax levy: Incremental DIF taxes: Annual financial requirement (ADS): Coverage (X) of ADS by DIF taxes: Maximum Annual Financing Requirement (MADS): Coverage (X) of MADS:	
Progress Statement: Please describe the status of the District's (and, if appropriate, the Municipality's) econor	
Submitted by:,	Title, on (date)